

EXHIBIT B-2

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA

LUCRETIA HORNSBY,
ANMARIE YOUNG, PRESTON
YOUNG, REBECCA DEAN,
DAWN HAMMOCK, CELINA
JORDAN, TABITHA ARLEDGE,
ERICA MILLER, OCIE BUTLER,
and DARRELL THOMAS, on behalf
of themselves and all others similarly
situated,

Plaintiffs,

v.

MACON COUNTY GREYHOUND
PARK, INC., MILTON
McGREGOR, McGREGOR
ENTERPRISES, and
VICTORYLAND,

Defendants.

Case No. 3:10-CV-680-MHT
CLASS ACTION

**JOINT MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT
AGREEMENT AND CERTIFICATION OF SETTLEMENT CLASS**

COME NOW Plaintiffs and Defendants, by and through their respective counsel, and submit this joint motion for proposed class notice program, showing to the court as follows.

1) On July 23rd and September 18, 2012 the parties attended sessions of Court-ordered mediation, the Honorable Judge Susan Walker presiding as mediator, and reached an agreement regarding settlement.

2) On September 26, 2012, this Court entered its order requiring the parties to meet and confer, and file the Settlement Agreement, propose a class notice program, and Memorandum of Law in support of Settlement on or before October 19, 2012. The parties jointly requested that the date for filing be extended to October 23, 2012.

3) The parties have met as ordered by the Court and are submitting a Settlement Agreement, attached hereto as “Exhibit 1”, as to the agreed-upon terms, form, manner, dates, and other matters related to settlement of this litigation and providing notice of the proposed settlement to members of the settlement class.

4) Contained within the Settlement Agreement (Exhibit 1) are the following:

- a) Proposed Preliminary Order (Exhibit A, to Exhibit 1),
- b) Class Notice (Exhibit B, to Exhibit 1),
- c) Release (Exhibit C, to Exhibit 1),
- d) Proposed Final Order (Exhibit D, to Exhibit 1) and definition of proposed settlement class.

5) The parties have agreed that the Defendant Macon County Greyhound Park Inc. (“MCGP”) will supply the names and last known mailing addresses of all Settlement Class Members to Class Counsel no later than October 23, 2012.

6) The parties are aware of the Class Action Fairness Act (CAFA), and the Defendant will notify the United States Attorney General and the Sherriff of Macon County for any Settlement Class Member residing in Alabama and for any Settlement Class Member residing in a state other than Alabama the appropriate State regulatory official within 10 days of the date of filing this Motion.

7) To implement the provisions of the settlement, the parties have agreed that First Class, Inc., *Class Action Administration*, 5410 W Roosevelt Rd Ste 222, Chicago, IL 60644-1479 will act as the third party notice administrators. The class administrator shall:

- Review the mailing addresses for class members and correct them if possible using US Postal Service CASS certified software.
- Check the mailing addresses for class members by searching the US Postal Service's National Change of Address database (48 month) for new addresses and update the class database if new addresses found.
- Print and mail the notices within 21 days after entry of this Court's Order of Preliminary Approval.
- Process any notices that are returned as undeliverable (no further information available) by updating the class database.
- Process any notices that are returned as undeliverable but with a forwarding address by updating the class database and re-mailing the notice to the new address.
- Provide an affidavit presenting the pertinent information about the notice procedure, including mailing date and quantity, number returned as undeliverable, number of re-mails, any objections or requests for exclusion received, and anything out of the ordinary.
- Receive "opt out" notices and notify counsel for both parties of the same.
- Receive Claim Forms from Settlement Class Members.

- Send a second mailing , after Final approval, via certified mail to all class members who did not respond to the initial mailing.
- Attempt to notify all class members who do not respond to mailings via publication in The Tuskegee News, in compliance with Due Process.
- Distribute Checks to the Settlement Class

8) The Parties have agreed that a Preliminary Approval hearing shall be held via conference call, at a date and time to be scheduled by the Court.

9) The parties have agreed that the Class Notice shall be mailed by the third party administrator within 21 days after entry of this Court's Order of Preliminary Approval , via first-class U.S. Mail to the last known address of all potential class members.

10) All "opt out" forms, Claim forms, and objections will be made in accordance to the instructions given in the Class Notice (Exhibit "B" of the Settlement Agreement) attached hereto.

11) A final hearing for approval of the settlement will be held on or before _____, 2013.

WHEREFORE, the parties jointly request that the Court enter its order GRANTING preliminary approval of the Settlement Agreement, Certifying the agreed upon settlement class, and approving the Class Notice Program, provisions for class notice, and the procedures recited above authorizing the parties to proceed as indicated.

Respectfully submitted this 23rd day of October, 2012.

/s/ Mike Segrest

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Joint Motion for Proposed Class Notice Program and Forms of Class Notice** has been electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following, on this the 23rd day of October, 2012:

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